

REMARKS

Claims 1-3, 5, and 8-14 remain pending in this application for which applicant seeks reconsideration.

Amendment

Independent claims 11 and 12 have been amended to for added clarity, namely to clarify that the operation section includes the first and second buttons. No new matter has been introduced.

Art Rejection

Claims 1-3, 5, and 9-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kuzma (USP 5,781,901) in view of Seder (USPGP 2002/0164053) and Nelson (USP 7,139,980). Claim 8 was rejected under § 103(a) as unpatentable over Kuzma in view of Seder, Nelson, and Cullen (USP 5,893,908).

In the last reply, applicant explained that none of the applied references would have disclosed or taught setting in advance, based on a user operation, (1) whether or not the searched electronic document data file is to be attached to an email notification, (2) whether or not the email notification is automatically executed, and (3) emailing the search result, including information indicative of a location where the searched original electronic document data is stored, when the user operates one of the first or second button displayed in the operating section, even if the electronic mail notification is set to not automatically execute.

In response, the examiner now argues that Kuzma discloses the feature (1) above since it discloses two options for sending emails. The first option is attaching the search results. See page 4, lines 10-16 of the Office Action. The second option is attaching a reference file (relatively small file) to an email instead of the actual attachment. Here, the reference is a link that points to the actual attachment. The examiner, however, recognizes that Kuzma does not disclose setting in advance the first option or the second option, and automatically executing the option. In this respect, the examiner is now relying upon Nelson for the proposition that providing auto email notification options in advance would have been obvious. Nelson indeed discloses that certain email notification options can be set in advance.

Even if the examiner's assertions were deemed to be correct for argument's sake, applicant submits that the combination urged by the examiner still would not have taught the features (1) and (3). As applicant has previously explained, Kuzma's attachment sending feature lacks nexus to obtaining a search result. Note that Kuzma merely discloses allowing users to search graphical and text-based files that are linked together using hypertext links (see

column 4, lines 13-19). Indeed, in contrast to the examiner's assertion, Kuzma does not disclose or teach anywhere regarding sending the Internet search results via any email. Indeed, that would seem to defeat the purpose of having an instant access convenience of the Internet. Rather, Kuzma merely discloses that email attachments can be assessed through the Internet via a link. Specifically, in Kuzma, referring to Fig. 7, the sender 612 stores an attachment 610 locally (step 703) and then supplies the URL pointer 627 in HTML page (step 704). See the paragraph spanning columns 13-14. This is quite different from the claimed notifying feature, namely transmitting the search results. Accordingly, applicant submits that the combination would not have taught sending the search results via email as set forth in the pending claims.

As Seder and Cullen would not have alleviated Kuzma's shortcomings noted above, applicant submits that the combinations urged by the examiner would have taught the claimed invention.

#### Request for Interview

Applicant seeks an interview in due course, before the examiner issues a next Office Action. The undersigned will contact the examiner to schedule an interview in due course. The examiner, however, is urged to contact the undersigned if the examiner intends to act on this case before an interview is scheduled.

#### Conclusion

Applicant submits that the pending claims patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

*/Lyle Kimms/*\_\_\_\_\_

LYLE KIMMS, REG. NO. 34,079

14 SEPTEMBER 2009

DATE

20609 GORDON PARK SQUARE, SUITE 150  
ASHBURN, VA 20147  
703-726-6020 (PHONE)  
703-726-6024 (FAX)